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Mr. President

Distinguished members of the Sub-Commission

My name is Miguel Saldanha, I am a Timorese and left my country with my parents in 1986, because we couldn't live in a situation of permanent persecution and threat, as it was since the indonesian invasion in 1975.

I am testifying on behalf of the families of the detainees who fear for the lives of their loved ones in Indonesian jails.

I would like to talk about my brother's case, José Maria Pompeia Saldanha Ribeiro, 28 years old, a student at the University of Denpasar, Bali.

On 12th November 1991 the army shot unarmed civilians and killed about 200 Timorese at Santa Cruz cemetery, in Dili. 70 young Timorese studying in Indonesia at that time organized a peaceful demonstration in Jacarta on 19th November 1991. Because of that, though they haven't taken part in it, my brother and five colleagues were taken by the Indonesian Intelligence from their house, on 24th November 1991. After searching the house, they took the six students to the police headquarters, where they were subjected to violent interrogation. The 22nd December 1991 my brother and three colleagues were taken handcuffed to Jacarta. In January my brother and two other students of this group came back to Bali and were released at the end of February.

Since my brother's arrest we haven't had any contact with him, nor directly nor by letter, because all his daily movements are controled by the Intelligence. Allow me, Mr. Chairman, to quote from Fernando Araújo's defense plea. Fernando Araújo was sentenced to 9 years under the anti-subversion law:

"(...) Along with the group of arresting officers was a group of civilians whose identify or origins I was not aware of; at the time of my arrest, the officer did not present a warrant for my arrest; without a search warrant they proceeded to raide the house, carrying out the search independently of any of the occupants of the house; (...) at that time the police officers threatened to shoot me if I moved; once I was in Polda Nusra, I was threatened by many people, ridiculed and humiliated with inhumane words; I was isolated in a large room and was prevented from receiving visits from my friends; (...) before putting me in my cell, I was stripped naked and forced to spend the night without clothing; (...) I was not allowed the use of writing materials in my cell."

My brother has to report to the police once a week. This is the case with all the other students. He lost his scholarship. Hence he is unable to complete his studies in Vetenerary science. He cannot move about ~~fully~~ freely and cannot earn a living.

Mr. President,

Like my brother, my brother-in-law Carlos dos Santos Lemos is also in prison. He is 31 years old, a driver with the "Territorial Government" in Dili. He was arrested on 6h December because he was taking pictures of the demonstration of 12th November 1991.

My brother-in-law was one of the Timorese arrested in Dili after the 12th November and was mistreated and suffered pressures, as it happens with all the political prisioners. According to the news we got, he could have a visit of his relatives twice a week, but before each visit the relatives are interrogated. Because we aren't able to have direct news about his real situation, I'll mention a letter from another political prisoner, arrested at the same time, that describes well the arbitrarinesses and violence to which the Timorese who just want to express their opinions are exposed to:

"The lawyers were in fact good defenders and because of this they put their own physical safety at risk. During their stays in Dili, They were always followed and more than a few times they were subjected to intimidation and even interrogation. The occupants used various forms of persuasion to sabotage our intention of using these lawyers. For exemple, they came to us and said that using the Jakarta lawyers would make things worse for us. When "they" did not succeed with this tactic,

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they resorted to a terrorization process. They gave orders for the spleeping mats to be removed from the cells so that we have to sleep on the ground without any cover; but the International Red Cross came and "they" had to give us back the mats. They also used other forms such as withholding water for drinking and washing. The lawyers themselves were also the target for all kinds of persuasion: "they" would go up to them and say that the Timorese have the bad habit that once you help them they never stop demanding things".

I would also like to mention part of the defense plea of Gregório da Cunha Saldanha, sentenced for life:

"(...) I was forced to say what the interrogator wanted, which was not according to the true fact (...).

In early December I was urged by the assistant public prosecutor, Tamher, to give names of youths in CRNJT, and to say that they carried firearms and knives on 12th November 1991 demonstration, with the guarantee that I would be free, or at least be reasonably treated. But because I felt this was not true, I refused.

In early February 1992, I was urged by Martinus Wae to give a false statement against a demonstrator called António Belo, aged 30, illiterate, that he carried a banner and flag. The interrogator said António had already confessed his involvment. But because I believe true evidence is that which is seen, heard and experienced, I refused.

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In early May I was advised by the public prosecutor, Supardi, that I should choose a local lawyer, Ponco. If I chose a lawyer from the YLBHI Jakarta there would be a conflict between the lawyers and the victim would be the defendant. This was repeated by police lieutenent Bambang. Prosecutors said the same thing to other defendants. Because I believe that the choice of lawyer is the defendant's right I said nothing".

On 9th July my brother-in-law Carlos Lemos was sentenced to 8 years. It's not acceptable that a person is arrested and sentenced only for expressing his/her opinion. May I remind you that the Indonesian governement subscribed the Consensus Statement that was read in this room in March 1992, by the distinguished President of the Commission on Human Rights in which there was an appeal for the immediate release of the Timorese prisioners who hadn't participated in violent activities. Instead, the Indonesian court condemned those who participated in a peaceful demonstration to heavy sentences, including life, while some of the policemen and military who killed unarmed young people in Santa Cruz were sentenced to less that 18 months.

Mr. President

Our suffering and worries are endless. The relatives of the political prisioners are also under every kind of pressure. The prisioners' incomes, in many cases

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the only support of their parents, brothers, wives and children, were stopped. Survival becomes very difficult. Wives and children are always under threats and persecution. The prisioners know this reality very well and because of that one of them wroted to his family: "How terribly difficult it its for a nationalist to choose between the Family and the Fatherland". The Indonesian magazine "Tempo" of 11th July, quote Gregório da Cunha Saldanha; "My detention will inevitably have adverse economic consequences on my family. This constantly worries me".

What angers us Mr. President is that we are not even able to help our relatives in East-Timor who are experiencing these enormous difficulties. The Timorese are afraid of getting any help from outside because of the Intelligence and the military government that occupies our country are suspicious.

Since the 12th November massacre access to the Territory has become even more restricted and this makes repression more severe. Access to East-Timor has to be completely open to all humanitarian and human rights organizations. This would be a small step towards a peaceful and negotiated solution to the conflict.

The Santa Cruz massacre was only the tip of the iceberg. One day, Mr. Chairman, truth will triumph and the full dimensions of the tragedy will be there for all

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to see - and each of you, Ladies and Gentlemen, who are today in a position to make a difference and save lives but choose not to for political expediency will not escape judgment.

Thank you very much.